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11 Attorneys for Plaintiff

12 UNITED STATES OF AMERICA

13 UNITED STATES DISTRICT COURT

14 FOR THE CENTRAL DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 ALEXANDER SMIRNOV,

19 Defendant.

No. CR 2:24-cr-00091-ODW

DECLARATION OF DEREK E. HINES
IN SUPPORT OF GOVERNMENT'S
OPPOSITION TO DEFENDANT'S
MOTION TO DISMISS FOR
UNSPECIFIED DISCOVERY
VIOLATION

DECLARATION OF DEREK E. HINES

I, Derek E. Hines, declare as follows:

1. I am an attorney of record for the United States in the above-captioned case. I have personal knowledge of the matters contained in this declaration and, if called as a witness to testify, I would competently testify to them. This declaration is offered in support of the government's opposition to the defendant's motion to dismiss for an unspecified discovery violation. ECF 162.
2. On October 16, 2024, the defendant filed a motion to compel the production of certain discovery, ECF 139. In an effort to resolve disputes and avoid wasting the Court's time, the government produced some additional materials on October 25, 2024, rather than waiting to disclose the discovery with the other Jencks materials one week before trial. This production included approximately 420 reports documented on a form "1023," which consisted of a total of approximately 739 pages.
3. The defendant filed his motion to dismiss on November 5, 2024.
4. On November 5, 2024, I read and reviewed all 420 reports in less than 4 hours while preparing the government's response to the defendant's second ex parte motion to continue the trial, ECF 159. The majority of the reports are 1 page in length, and in some instances, include only a couple of sentences on each page. Approximately 366 of the reports are 1-2 pages in length. Approximately 47 of the reports are 3-4 pages in length. Approximately 7 of the reports are 5 pages or more in length.

Executed on this 12th day of November, 2024 in the Commonwealth of Pennsylvania.



Derek E. Hines

Senior Assistant Special Counsel